

**03-1234 MID-CON FREIGHT SYSTEMS, ET AL. V. MI PUBLIC SERVICE  
COMM'N, ET AL.**

DECISION BELOW: 662 N.W.2d 784 (2003)

QUESTION PRESENTED FOR REVIEW

~~May States avoid the \$10 per vehicle fee cap of the expressly preemptive Single State Registration System (and its predecessor "bingo card" program) by charging \$100 per vehicle to certain interstate motor carriers and calling the charge a "regulatory fee?"~~

Cert. Granted 1/14/05

~~Limited to the following question: "Whether the \$100 fee upon vehicles operating solely in interstate commerce is preempted by 49 U.S.C. §14504."~~

Amended Order entered 1/21/05 consolidating 03-1230 and 03-1234 for one hour of oral argument. The petitions for writs of certiorari are granted limited to the following questions:

- 1) "Whether the \$100 fee upon vehicles conducting intrastate operations violates the Commerce Clause of the United States Constitution."
- 2) "Whether the \$100 fee upon vehicles operating solely in interstate commerce is preempted by 49 U.S.C. §14504."